

LEON COUNTY, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF LEON COUNTY, FLORIDA, CREATING THE EMERGENCY MEDICAL SERVICES MUNICIPAL SERVICES TAXING UNIT LOCATED WITHIN THE UNINCORPORATED AREA OF LEON COUNTY, AND THE INCORPORATED AREA OF THE CITY OF TALLAHASSEE, FLORIDA, TO PROVIDE EMERGENCY MEDICAL SERVICES, FACILITIES AND EQUIPMENT; DEFINING THE BOUNDARIES OF THE UNIT IN A MANNER THAT ENCOMPASSES THE ENTIRE COUNTY; AUTHORIZING THE BOARD TO ANNUALLY LEVY AD VALOREM TAXES WITHIN THE BOUNDARIES OF SUCH UNIT NOT TO EXCEED ½-MILL; AUTHORIZING THE USE OF THE TAX REVENUE FOR ENUMERATED PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA THAT:

SECTION 1. TITLE. This ordinance may be cited as the "Leon County Emergency Medical Services Municipal Service Taxing Unit Ordinance."

SECTION 2. AUTHORITY AND PURPOSE.

(A) This Ordinance is enacted under the authority of Article VIII, section 1, Florida Constitution, and sections 125.01 and 125.66, Florida Statutes. The Board of County Commissioners (the "Board") of Leon County, Florida, has all powers of local self-government to perform county and municipal functions and to render services in a manner not inconsistent with general law and such power may be exercised by the enactment of county ordinances and resolutions.

(B) Section 125.01(1)(q), Florida Statutes, provides specific legislative authorization for counties to establish a municipal service taxing unit for any part or all of the unincorporated areas within its boundaries, or within the municipal boundaries of an incorporated area upon consent of the governing body of such municipality, within which may be provided essential facilities and services.

(C) The purpose of this Ordinance is to create a municipal service taxing unit to fund emergency medical services and other associated essential facilities and municipal services within the municipal service taxing unit as generally described in Section 5 of this Ordinance. This Ordinance shall be liberally construed to effect the purposes hereof.

(D) For the purposes of this Ordinance the term "emergency medical services" shall mean the emergency medical services, facilities or equipment described herein eligible to be funded by the Emergency Medical Services Municipal Service Unit for persons in Leon County.

SECTION 3. CREATION OF EMERGENCY MEDICAL SERVICES MUNICIPAL SERVICE TAXING UNIT.

(A) Pursuant to the provisions of section 125.01(1)(q), Florida Statutes, there is hereby created a municipal service taxing unit for that portion of the unincorporated areas of the County and the incorporated area of the City of Tallahassee. Such municipal service taxing unit shall be known as the Emergency Medical Services Municipal Service Taxing Unit.

(B) From time to time the Board may by resolution take any action not inconsistent with this Ordinance to administer, deliver or provide emergency medical services or otherwise implement and advance the efficient and effective delivery of emergency medical services to persons in Leon County.

SECTION 4. AUTHORIZATION OF AD VALOREM TAXES. The Board is hereby authorized, in the manner and under the authority provided by section 125.01(1)(q) and (r), Florida Statutes, to levy and collect additional ad valorem taxes at a millage rate not to exceed (one-half) ½-mill upon real and personal property within the

Emergency Medical Services Municipal Service Taxing Unit commencing with County fiscal year 2003-2004. The foregoing millage limitation shall not be increased without the City Commission of the City of Tallahassee first adopting an ordinance consenting thereto.

SECTION 5. USE OF REVENUE; IMPLEMENTATION

(A) Revenues derived from ad valorem taxes levied within the Emergency Medical Services Municipal Service Taxing Unit pursuant to Section 4 and from any fees and charges imposed for the use or availability of emergency medical services or facilities shall be used solely for the following purposes:

(1) to provide emergency medical services and facilities to persons in Leon County;

(2) to acquire, construct, or improve property, facilities, equipment, and improvements necessary to provide emergency medical services and programs;

(3) to operate, maintain, and replace acquired property, facilities, equipment, and improvements necessary to provide emergency medical services and programs;

(4) to compensate or reimburse the County, and those acting on its behalf, for all costs reasonably related to and incurred in establishing, implementing and administering the Emergency Medical Services Municipal Service Taxing Unit, and offering, providing and delivering emergency medical services and other associated essential facilities and municipal services to persons in Leon County; and

(5) otherwise to provide for or pay for any other cost or expense reasonably associated with providing for and delivering emergency medical services and facilities to persons in Leon County.

(B) The Board shall prepare and adopt a budget for the Emergency Medical Services Municipal Service Taxing Unit for the fiscal year beginning October 1, 2003, and each year thereafter, at the same time and in the same manner as the County budget. Such budget shall contain all or such portions of the planned costs of providing the services and

facilities authorized herein as the Board deems reasonable and necessary to initiate and thereafter provide for emergency medical services and facilities.

(C) The Board may set up reserve funds in the taxing unit budget in excess of the estimated expenditures for the ensuing fiscal year for the purpose of creating reasonable reserves.

SECTION 6. SEVERABILITY.

Should any provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part declared to be invalid.

SECTION 7. EFFECTIVE DATE.

(A) The effectiveness of this Ordinance is conditioned upon the following occurring prior to July 1, 2003:

(1) the City Commission of the City of Tallahassee adopting an ordinance consenting to the inclusion of the incorporated areas of the City within the boundaries of the Emergency Medical Services Municipal Service Taxing Unit; and

(2) the subsequent filing of a certified copy of this Ordinance with the Department of State by the Clerk of the Board.

(B) After enactment by the Board, this Ordinance shall then take effect upon the filing with the Department of State as provided in section 125.66(2), Florida Statutes.

DULY ENACTED this ____ day of _____, 2003.

LEON COUNTY, FLORIDA

By: _____
Tony Grippa, Chairman
Board of County Commissioners

ATTEST:
Bob Inzer, Clerk of the Court
Leon County, Florida

BY: _____

APPROVED AS TO FORM:
Leon County Attorney's Office

BY: _____
Herbert W. A. Thiele, Esq.
County Attorney